

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC

In The Matter Of:

NPRM 99-25
Creation of A New Low Power FM Radio Service

Submitted: 02/23/1999

COMMENTS OF DAVID C. SOLOMON

Discussion- I support the creation of the low-power FM radio service as described in the FCC's NPRM 99-25 in most regards. I do, however, question the methods described for distribution of licenses. It is quite obvious that the commission has two fundamental goals- to enable a new low-power FM radio service- and, to enable a new broadcasters who feel "shut out" of the race to own radio stations. It has been argued that the proposed ownership restrictions that bar licensees of full-power broadcast outlets from applying for or becoming licensees in the new proposed service would "flood" the airwaves with inexperienced operators who will ruin the acceptance and credibility of such a service; hence, make such a service see the same fate as low-power television. In some regards, I have to agree. Such a service could actually implode on itself if treated with blatant disregard for established radio broadcasting protocol. For instance-

Would such a service be required to obtain audio processing?
-any FM signal without audio processing could be deemed ridiculous.
-modulation limits of, even, micropower 1-10 watt stations could cause interference.

Would operators be required to tape delay live phone conversations?
-are inexperienced operator to blame for unexpected vulgarity on-air?

You would think that being bestowed an honor such as "Licensee of a Public Frequency" would, at least, require a correspondence course in "standard radio operations."

At the risk of seeming prude, if vulgarity, violence and other indecent incident is allowed to air due to the inexperience of the licensee and it influences a number of young minds to horrible measures; who should be held accountable?

A- The inexperienced.
B- The agency that enabled the operator to operate without experience.

In aviation, they don't give licenses to pilots who can't fly. You can't even get a real-estate license if you don't have the experience. Why on Earth can you influence a mass quantity of people through the airwaves just because- *you want to*? Should there, at least, be a test?

Consider the proposal for a "micropower" service; a one (1) watt FM station can influence a great many people. It's development seems instituted in the Commission's desire to appease a large amount of "scofflaws" and "pirates" in their pursuit to gain access to the airwaves. It seems a bit strange to imagine that our government might be interested in granting the priveledge of speaking to mass amounts of people to those who either didn't understand the law or care- yet, took to the airwaves anyway. It seems to me the proposed "Micropower" 1-10 watt stations, if granted, will cause the most violations of rules, need the most regulation and will consume the most of the Commission's time and resources. I predict that what we'll end up with is situations where licensees are-

- broadcasting their favorite TV soap opera so they can go grocery shopping.
- using the stations for private communications.
- transmitting nothing but advertisements for co-owned businesses.
- used in building gang and/or cult membership.
- operated, in many instances, beyond the scope of a still undefined "indecent" boundary.
- used to transmit false and potentially dangerous information.

Enabling citizens to take to the public airwaves without training and program regulation could yield an entirely new threat to public safety than ever imagined. It would be highly irresponsible.

PROPOSAL FOR LICENSE DISTRIBUTION

A requirement that individual licensees must either-

Take and pass an exam regarding standard radio station procedures and operations.

or

Prove, through the use of tax records, that he/she has acquired five (5) years of experience at a radio station that is licensed by the FCC. The experience need not be full-time, a simple W-2 from each year would suffice.

A requirement that organizations or corporations must assign a Chief Operator with said experience would be necessary in the event that the potential licensee is not an individual.

Why should a citizen be allowed to construct a radio station, inexpensively, with no previous experience when-

- a barber can't get a license to cut hair without education.
- we don't allow inexperienced doctors to operate.
- you have to take a test to drive.
- lawyers have to pass a bar exam to defend people.
- the military requires a basic test just to join.
- eye tests are required in many professions to prove you can see.

In the first filing window, to enable the success and acceptance of the new low-power FM radio service, special consideration should be given to those who have dedicated their careers to mastering their radio skills, yet, have never been able to afford to own a radio station. On the average, for every radio station, there are at least five (5) full-time employees who hold no FCC license, yet would love to. These people are the fundamental operators of these radio stations and should be afforded the opportunity to use their skills and experience to serve the public. Should one be able to prove his/her broadcast experience through the use of tax records and desire to operate a radio station, rules should be in place to allow that. Perhaps the requirements for filing in the first filing window should be limited to only those who meet this criteria.

Respectfully Submitted,

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